CONTRACT

State of Vermont

Buildings and General Services Reference/Research General Svs Ctr US Rt 2 Drawer 33 Middlesex VT 05633-7601 USA

> Vendor ID 0000008638 Pike Industries Inc 249 Granger Rd-Berlin Barre VT 05641 USA



Contract ID		Page
0000000000000000	0000014984	1 of 3
Contract Dates		Origin
05/01/2009 to 04/	30/2010	CP
Description:		Contract Maximum
CP AOT BITUMING	OUS CONCRETE	\$999,999,999.00
Buyer Name	Buyer Phone	Contract Status
Pierce. Robert Jr.	802/828-2215	Approved

Phone #: 802-223-3002

	I HOHE #. OUL ZEO SOUL					
Line #	Item ID	Item Desc	UOM	Unit Price	Max Qty	Max Amt
1	5251	BITUMINOUS CONCRETE PAVEMENT, TYPES I-V. TO BE IN CONFORMANCE WITH SECTION 702 OF THE LATEST VERSION OF THE VT AOT STANDARD SPECIFICATIONS FOR CONSTRUCTION ALONG WITH ANY APPLICABLE GENERAL SPECIAL PROVISIONS. SEE LINE COMMENTS FOR LOCATION PRICING.	TON	0.00001	0.00	0.00

LOCATIONS AS FOLLOWS (9 TOTAL)

LOCATION OF PLANT: BERLIN (04901)

PLANT CAPACITY PER EIGHT (8) HOUR DAY: 1728 TONS

PRICE PER TON (US): \$70.00

LOCATION OF PLANT: COVENTRY (04905)

PLANT CAPACITY PER EIGHT (8) HOUR DAY: 960 TONS

PRICE PER TON (US): \$70.00

LOCATION OF PLANT: DANBY (04733,04815)

PLANT CAPACITY PER EIGHT (8) HOUR DAY: 900 TONS

PRICE PER TON (US): \$67.00

LOCATION OF PLANT: NEW HAVEN (04733,04902) PLANT CAPACITY PER EIGHT (8) HOUR DAY: 900 TONS

PRICE PER TON (US): \$68.00

LOCATION OF PLANT: SWANTON (04801)

PLANT CAPACITY PER EIGHT (8) HOUR DAY: 1440 TONS

PRICE PER TON (US): \$69.00

LOCATION OF PLANT: WATERFORD (04702,04706) PLANT CAPACITY PER EIGHT (8) HOUR DAY: 1920 TONS

PRICE PER TON (US): \$67.00

LOCATION OF PLANT: WEST LEBANON NH (04720) PLANT CAPACITY PER EIGHT (8) HOUR DAY: 1600 TONS

PRICE PER TON (US): \$68.00

LOCATION OF PLANT: WILLISTON (04800)

PLANT CAPACITY PER EIGHT (8) HOUR DAY: 1920 TONS

PRICE PER TON (US): \$67.00

LOCATION OF PLANT: RUTLAND (04707)

PLANT CAPACITY PER EIGHT (8) HOUR DAY: 1728 TONS

PRICE PER TON (US): \$69.00

ALL ORDERS ARE TO BE PLACED WITH: PIKE INDUSTRIES INC 249 GRANGER RD - BERLIN

BARRE VT 05641

TELEPHONE: 802 223-3002 BERLIN OFFICE

ALL PAYMENTS ARE TO BE MADE TO:

PIKE INDUSTRIES INC

PO BOX 31019

HARTFORD CT 06150-1019

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			Unit	Max	Max
Line # Item ID	Item Desc	UOM	Price	Qty	Amt

MATERIALS ARE TO BE IN CONFORMANCE WITH THE FOLLOWING TECHNICAL AND GENERAL SPECIFICATIONS. SECTION 702 OF THE VERMONT AGENCY OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION DATED 2006, GENERAL SPECIAL PROVISIONS ENTITLED "BITUMINOUS CONCRETE" DATED APRIL 7, 2009, GENERAL SPECIFICATIONS BITUMINOUS CONCRETE DATED MARCH 10, 2006.

CONTRACTOR IS TO SUPPLY BITUMINOUS CONCRETE PAVEMENT UNDER THE TERMS OF THIS CONTRACT.

PERIOD OF PERFORMANCE: CONTRACT IS FOR AN INITIAL ONE YEAR TERM WITH AN OPTION TO EXTEND FOR TWO ADDITIONAL ONE-YEAR PERIODS.

STATE OF VERMONT ATTACHMENT C: STANDARD STATE CONTRACT PROVISIONS DATED JANUARY 8, 2009 AND ATTACHMENT D: COMMODITY PURCHASES TERMS AND CONDITIONS DATED DECEMBER 8, 2008 ARE ATTACHED AND INCORPORATED AS PART OF THIS ORDER.

QUANTITY: QUANTITIES ARE ESTIMATED ONLY BASED ON PRIOR USAGE AND MAY BE INCREASED OR DECREASED TO MEET ACTUAL REQUIREMENTS.

QUALITY: ALL PRODUCTS PROVIDED UNDER THESE AGREEMENTS WILL BE NEW AND UNUSED, UNLESS OTHERWISE STATED. FACTORY SECONDS OR REMANUFACTURERED PRODUCTS WILL NOT BE ACCEPTED UNLESS SPECIFICALLY REQUESTED BY THE PURCHASING AGENCY. ALL PRODUCTS PROVIDED BY THE CONTRACTOR MUST MEET ALL FEDERAL, STATE AND LOCAL STANDARDS FOR QUALITY AND SAFETY REQUIREMENTS. PRODUCTS NOT MEETING THESE STANDARDS WILL BE DEEMED UNACEPTABLE AND RETURNED TO THE CONTRACTOR FOR CREDIT AT NO CHARGE TO THE STATE.

METHOD OF ORDERING: PURCHASE ORDERS MUST BE USED TO ORDER ITEMS AVAILABLE UNDER THIS CONTRACT. IF VERBAL ORDERS ARE GIVEN A CONFIRMING PURCHASE ORDER MUST BE ISSUED.

CANCELLATION: THE STATE SPECIFICALLY RESERVES THE RIGHT TO CANCEL THE CONTRACT OR ANY PORTION THEREOF PROVIDING, IN THE OPINION OF ITS COMMISSIONER OF BUILDINGS AND GENERAL SERVICES, THE SERVICES OR MATERIALS SUPPLIED BY THE CONTRACTOR ARE NOT SATISFACTORY OR CONSISTENT WITH THE TERMS OF THE CONTRACT.

DELIVERY: ALL PRICING INCLUDES F.O.B. DELIVERY TO THE ORDERING FACILITY. NO REQUEST FOR EXTRA DELIVERY COST WILL BE HONORED. LIABILITY FOR PRODUCT DELIVERY REMAINS WITH THE CONTRACTOR UNTIL PROPERLY DELIVERED AND SIGNED FOR IN ACCORDANCE WITH THE DIVISION OF PURCHASING AND CONTRACT ADMINISTRATIONS TERMS AND CONDITIONS. SHIPMENTS SHALL BE SECURELY AND PROPERLY PACKED, ACCORDING TO ACCEPTED COMMERCIAL PRACTICE. DELIVERIES, WHICH DO NOT CONFORM TO THE SPECIFICATIONS OR ARE NOT IN GOOD CONDITION UPON RECEIPT, SHALL BE REPLACED PROMPTLY BY THE CONTRACTOR.

INVOICING: ALL INVOICES ARE TO BE RENDERED BY THE CONTRACTOR IN DUPLICATE ON THE VENDOR'S STANDARD BILLHEAD AND FORWARDED DIRECTLY TO THE INSTITUTION OR AGENCY ORDERING MATERIALS OR SERVICES.

DEFAULT: IN CASE OF DEFAULT OF THE CONTRACTOR, THE STATE MAY PROCURE THE MATERIALS OR SUPPLIES FROM OTHER SOURCES AND HOLD THE CONTRACTOR RESPONSIBLE FOR ANY EXCESS COST OCCASIONED THEREBY, PROVIDED, THAT IF PUBLIC NECESSITY REQUIRES THE USE OF MATERIALS OR SUPPLIES NOT CONFORMING TO THE SPECIFICATIONS THEY MAY BE ACCEPTED AND PAYMENT THEREFORE SHALL BE MADE AT A PROPER REDUCTION IN PRICE.

AGENCIES & DEPARTMENTS ARE REQUESTED TO ADVISE THE PURCHASING AGENT AT ONCE OF THE FAILURE ON THE PART OF THE CONTRACTOR TO FULFILL ANY OF THE TERMS OR CONDITIONS OF THIS CONTRACT.

PLEASE REFER TO THE ASSIGNED CONTRACT NUMBER/PURCHASE ORDER # ON ALL CORRESPONDENCE, DELIVERY DOCUMENTS AND INVOICES.

CUSTOMER SATISFACTION SURVEY: TO HELP US UNDERSTAND HOW WE CAN BETTER SERVE YOU, WE ARE INTERESTED IN RECEIVING YOUR COMMENTS REGARDING THE QUALITY OF SERVICE YOU RECEIVED IN YOUR MOST RECENT INTERACTION WITH THE DEPARTMENT OF BUILDINGS & GENERAL SERVICES (BGS). PLEASE COMPLETE THE ON-LINE CUSTOMER COMMENT FORM AT: http://bgs.vermont.gov/purchasing/contractform

IF YOU HAVE ANY QUESTIONS REGARDING THIS CONTRACT PLEASE CONTACT: ROBERT A. PIERCE, JR. CONTRACT TERMS AND ADDITIONAL INFORMATION

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Pierce Robert Jr	802/828-2215	Approved

Phone #: 802-223-3002

Line # Item ID	Item Desc	UOM	Unit Price	Max Qty	Max Amt
SENIOR PURCHASIN	NG AGENT			•	
802-828-2215					

WE THE UNDERSIGNED PARTIES AGREE TO BE BOUND BY THIS CONTRACT

By the STATE of VERMONT	By the CONTRACTOR
Date:	Date:
Signature:	Signature:
Name:	Name:
Title:	Title:
Email:	Email: